

EXHIBIT H

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
NEWPORT NEWS DIVISION**

**FRANCIS W. HOOKER, Jr.,
for himself and on behalf of all
similarly situated individuals,**

Plaintiff,

v.

Case No.: 4:13-cv-00003 (AWA/LRL)

SIRIUS XM RADIO, INC.

Defendant.

DECLARATION OF ERIC KNUTSON

I, ERIC KNUTSON, am the Plaintiff in the matter entitled, *Knutson v. Sirius XM Radio Inc.*, 3:12-cv-00418-AJB-DHB (S.D. Cal.), filed on February 15, 2012 (“*Knutson Action*”). I am over 18 years of age and competent to make the following statement. All of the statements below are based on my personal knowledge and, if called as a witness, I could and would testify competently thereto.

1. As the named as a Plaintiff in the *Knutson Action*, and I am generally familiar with the work involved in prosecuting the class action relating to the telephone solicitation calls made by or on behalf of Defendant Sirius XM Radio Inc. allegedly using an automatic telephone dialing system.

2. I am a member of the proposed settlement class in the matter of *Hooker v. Sirius XM Radio, Inc.*, 4:13-cv-00003-AWA-LRL (E.D. Vir.) (“*Hooker Action*”) because, after I purchased a Toyota Tacoma truck in or around November of 2011 and received promotional access to Sirius XM radio for that vehicle, on or about January of 2012 I began receiving unsolicited calls

on my cellular phone urging me to extend my promotional subscription to Sirius XM Radio into a paid continuing subscription. I believe these calls were autodialed.

3. I provided my attorneys with relevant and helpful information for the *Knutson* Action, including information concerning my purchase of the vehicle and the telemarketing calls I received.

4. I am aware that in the *Knutson* Action the Court granted a motion to compel arbitration that was later reversed by the Ninth Circuit Court of Appeals. The *Knutson* Action is currently stayed until a status conference scheduled for August of 2016.

5. I have engaged in several emails and phone calls with my attorneys and their staff throughout my involvement in the prosecution of the *Knutson* Action and have been kept apprised of key developments in the litigation. I am generally familiar with the factual and legal issues in this case through my correspondence and communications with my attorneys and their staff. I have also been informed about the terms of the proposed settlement in the *Hooker* Action, and I have authorized my attorneys to sign the settlement agreement in that action on my behalf.

6. After reviewing and discussing the terms of the proposed settlement with my attorneys and considering the issues in the case, I have concluded that the proposed settlement obtained on behalf of the Class is fair and reasonable to the Class members in light of the circumstances.

7. I believe that I will fairly represent the absent Class members and herein request that the Court preliminarily approve this settlement and appoint me as a Class Representative.

8. I am not aware of any conflicts of interest that prevent me from being appointed as Class Representative in this lawsuit. I am not related in any way to my attorneys or to any other member of the firm that is representing me. I have not been promised any money or inducement to serve as Class Representative in this action.

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9. I have actively participated in *Knutson* Action and I have strived to maintain the best interests of the class members.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Dated: 7/10/16


ERIC KNUTSON